

1 Mario N. Alioto (56433)
2 Lauren C. Capurro (241151)
3 **TRUMP, ALIOTO, TRUMP & PRESCOTT LLP**
4 2280 Union Street
5 San Francisco, CA 94123
6 Telephone: (415) 563-7200
7 Facsimile: (415) 346-0679
8 malioto@atap.com
9 laurenrussell@atap.com

10 *Lead Counsel for Indirect Purchaser Plaintiffs*

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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 **IN RE: CATHODE RAY TUBE (CRT)**
14 **ANTITRUST LITIGATION**

15 This Document Relates to:

16 ALL INDIRECT-PURCHASER ACTIONS

17 *Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et*
18 *al.*, No. 11-cv-01656;

19 *Electrograph Sys., Inc., et al. v. Technicolor SA,*
20 *et al.*, No. 13-cv-05724;

21 *Siegel v. Hitachi, Ltd., et al.*, No. 11-cv-05502;

22 *Siegel v. Technicolor SA, et al.*, No. 13-cv-
23 05261;

24 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*,
25 No. 11-cv-05513;

26 *Best Buy Co., Inc., et al. v. Technicolor SA, et al.*, No.
27 13-cv-05264;

28 *Target Corp. v. Chunghwa Picture Tubes, Ltd.,*
29 *et al.*, No. 11-cv-05514;

30 *Target Corp. v. Technicolor SA, et al.*, No. 13-
31 cv-05686;

32 *Sears, Roebuck & Co., et al. v. Chunghwa*
33 *Picture Tubes, Ltd., et al.*, No. 11-cv-05514;

34 *Sears, Roebuck & Co., et al. v. Technicolor SA,*

35 Master No.: 3:07-cv-05944 SC
36 MDL No. 1917

37 **DECLARATION OF LAUREN C.**
38 **CAPURRO IN SUPPORT OF**
39 **INDIRECT PURCHASER AND**
40 **CERTAIN DIRECT ACTION**
41 **PLAINTIFFS' OPPOSITION TO**
42 **DEFENDANTS' JOINT MOTION FOR**
43 **PARTIAL SUMMARY JUDGMENT**
44 **AGAINST INDIRECT PURCHASER**
45 **PLAINTIFFS AND CERTAIN DIRECT**
46 **ACTION PLAINTIFFS FOR LACK OF**
47 **ANTITRUST INJURY AND**
48 **ANTITRUST STANDING UNDER**
49 **FEDERAL AND CERTAIN STATE**
50 **LAWS**

51 Date: February 6, 2015
52 Time: 10:00 a.m.
53 Place: Courtroom 1, 17th Floor
54 Judge: Hon. Samuel Conti

1 *et al.*, No. 13-cv-05262;

2 *Interbond Corp. of Am. v. Hitachi, Ltd., et al.*,
No. 11-cv-06275;

3 *Interbond Corp. of Am. v. Technicolor SA, et al.*,
No. 13-cv-05727;

5 *Office Depot, Inc. v. Hitachi, Ltd., et al.*, No. 11-
cv-06276;

6 *Office Depot, Inc. v. Technicolor SA, et al.*, No.
7 13-cv-05726;

8 *CompuCom Systems, Inc. v. Hitachi, Ltd., et al.*,
9 No. 11-cv-06396;

10 *Costco Wholesale Corp. v. Hitachi, Ltd., et al.*,
No. 11-cv-06397;

11 *Costco Wholesale Corp. v. Technicolor SA, et*
12 *al.*, No. 13-cv-05723;

13 *P.C. Richard & Son Long Island Corp., et al. v.*
14 *Hitachi, Ltd., et al.*, No. 12-cv-02648;

15 *P.C. Richard & Son Long Island Corp., et al. v.*
16 *Technicolor SA, et al.*, No. 13-cv-05725;

17 *Schultze Agency Servs., LLC v. Hitachi, Ltd., et*
18 *al.*, No. 12-cv-02649;

19 *Schultze Agency Servs., LLC v. Technicolor SA,*
20 *et al.*, No. 13-cv-05668;

21 *Tech Data Corp., et al. v. Hitachi, Ltd., et al.*,
22 No. 13-cv-00157;

23 *Viewsonic Corp. v. Chungwha Picture Tubes,*
24 *Ltd., et al.*, No. 14-cv-02510

1 I, Lauren C. Capurro, hereby declare as follows:

2 1. I am an attorney with Trump, Alioto, Trump & Prescott LLP, interim lead counsel
3 for Indirect Purchaser Plaintiffs (“IPPs”). I am a member of the bar of the State of California and I
4 am admitted to practice before this Court.

5 2. I submit this Declaration in Support of the Indirect Purchaser and Certain Direct
6 Action Plaintiffs’ Opposition to Defendants’ Motion for Partial Summary Judgment Against
7 Indirect Purchaser Plaintiffs and Certain Direct Action Plaintiffs for Lack of Antitrust Injury and
8 Antitrust Standing Under Federal and Certain State Laws (“Plaintiffs’ Opposition”). I have
9 personal knowledge of the facts stated herein and, if called as a witness, I could and would
10 competently testify thereto.

11 3. Exhibit 1 is a true and correct copy of the April 15, 2014 Expert Report of Janet S.
12 Netz.

13 4. Exhibit 2 is a true and correct copy of the April 15, 2014 Expert Report of Kenneth
14 G. Elzinga.

15 5. Exhibit 3 is a true and correct copy of the April 15, 2014 Expert Report of James T.
16 McClave.

17 6. Exhibit 4 is a true and correct copy of excerpts from the transcript of the July 18,
18 2012 deposition of Hirokazu Nishiyama, a Fed. R. Civ. P. 30(b)(6) witness for Defendants MT
19 Picture Display Co., Ltd., Panasonic Corporation and Panasonic Corporation of North America
20 (“Panasonic”).

21 7. Exhibit 5 is a true and correct copy of excerpts from the transcript of the February
22 19, 2013 deposition of Chih Chun Liu, a witness of Defendant Chungwha Picture Tubes, Ltd.

23 8. Exhibit 6 is a true and correct copy of excerpts from the transcript of the February
24 27, 2013 deposition of Jing Song Lu, a witness of Defendant Chungwha Picture Tubes, Ltd.

1 9. Exhibit 7 is a true and correct copy of the April 15, 2014 Expert Report of Alan S.
2 Frankel.
3

4 10. Exhibit 8 is a true and correct copy of excerpts from the transcript of the July 3,
5 2012 deposition of Lloyd Thomas Heiser, a Fed. R. Civ. P. 30(b)(6) witness for Defendant Hitachi
6 Electronic Devices (USA).
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8 11. Exhibit 9 is a true and correct copy of excerpts from the transcript of the July 12,
9 2012 deposition of Yasu Hisa Takeda, a Fed. R. Civ. P. 30(b)(6) witness for Defendant Hitachi,
10 Ltd.
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12 12. Exhibit 10 is a true and correct copy of excerpts from the transcript of the July 31,
13 2012 deposition of Roger de Moor, a Fed. R. Civ. P. 30(b)(6) witness for Defendants Philips
14 Electronics North America Corp., Inc. and Koninklijke Philips Electronics N.V.Philips.
15

16 13. Exhibit 11 is a true and correct copy of excerpts from the transcript of the June 7,
17 2012 deposition of Jae In Lee, a Fed. R. Civ. P. 30(b)(6) witness for Defendants Samsung SDI Co.,
18 Ltd., Samsung SDI America, Inc., Samsung SDI Mexico, S.A. de C.V., Samsung SDI Brazil Ltda.,
19 Shenzhen Samsung SDI Co., Ltd., Tianjin Samsung SDI Co., Ltd. and Samsung SDI Malaysia.
20

21 14. Exhibit 12 is a true and correct copy of excerpts from the transcript of the July 9,
22 2012 deposition of Choong Ryul Park, a Fed. R. Civ. P. 30(b)(6) witness for Defendants LG
23 Electronics, Inc. and LG Electronics USA, Inc. ("LG Electronics").
24

25 15. Exhibit 13 is a true and correct copy of the October 1, 2012 Declaration of Janet S.
26 Netz in Support of Motion of Indirect Purchaser Plaintiffs for Class Certification.
27

28 16. Exhibit 14 is a true and correct copy of the September 26, 2014 Rebuttal Expert
Report of Janet S. Netz.
29

30 17. Exhibit 15 is a true and correct copy of excerpts from the transcript of the July 16,
31 2012 deposition of Tatsuo Tobinaga, a Fed. R. Civ. P. 30(b)(6) witness for Defendant Panasonic.
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18. Exhibit 16 is a true and correct copy of excerpts from the transcript of the July 19, 2012 deposition of Masahiro Kimura, a Fed. R. Civ. P. 30(b)(6) witness for Defendant Panasonic.

19. Exhibit 17 is a true and correct copy of excerpts from the transcript of the July 31, 2012 deposition of Jay Alan Heinecke, a Fed. R. Civ. P. 30(b)(6) witness for Defendant Toshiba America Electronics Corp.

20. Exhibit 18 is a true and correct copy of excerpts from the transcript of the July 17, 2012 deposition of Nobuhiko Kobayashi, a Fed. R. Civ. P. 30(b)(6) witness for Defendant Hitachi Displays, Ltd.

21. Exhibit 19 is a true and correct copy of document CHU00031240-247 produced in this litigation by Defendant Chunghwa Picture Tubes, Ltd. and a certified translation of the same.

22. Exhibit 20 is a true and correct copy of document CHU00030787-794 produced in this litigation by Defendant Chunghwa Picture Tubes, Ltd. and a certified translation of the same.

23. Exhibit 21 is a true and correct copy of document CHU00030731-733 produced in this litigation by Defendant Chunghwa Picture Tubes, Ltd. and a certified translation of the same.

24. Exhibit 22 is a true and correct copy of excerpts from the transcript of the July 9, 2012 deposition of Mok Hyeon Seong, a Fed. R. Civ. P. 30(b)(6) witness for Defendant LG Electronics.

25. Exhibit 23 is a true and correct copy of excerpts from the transcript of the July 16, 2012 deposition of Kim London, a Fed. R. Civ. P. 30(b)(6) witness for Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.

26. Exhibit 24 is a true and correct copy of excerpts from the transcript of the September 5, 2014 deposition of Jack Brunk, a witness of Defendant Thomson Consumer Electronics, Inc.

1 27. Exhibit 25 is a true and correct copy of excerpts from the transcript of the August
2 27, 2014 deposition of James Hanrahan, a witness of Defendant Thomson Consumer Electronics,
3 Inc.

4 28. Exhibit 26 is a true and correct copy of excerpts from the transcript of the October
5 27, 2014 deposition of Tomoyuki Kawano, a witness of Defendant Toshiba, Corp.

6 29. Exhibit 27 is a true and correct copy of excerpts from the transcript of the June 26,
7 2014 deposition of John LaRegina, a witness of Plaintiff P.C. Richard & Son Long Island Corp.

8 30. Exhibit 28 is a true and correct copy of excerpts from the transcript of the June 19,
9 2014 deposition of Wendy Linksi, a witness of Plaintiffs Tech Data Corp. and Tech Data Product
10 Management, Inc.

11 31. Exhibit 29 is a true and correct copy of excerpts from the transcript of the June 20,
12 2014 deposition of Christopher Groves, a witness of Plaintiffs Best Buy Co., Inc., Best Buy
13 Enterprise Services, Inc., Best Buy Purchasing LLC, Best Buy Stores, L.P. and Best Buy.com LLC
14 ("Best Buy").

15 32. Exhibit 30 is a true and correct copy of excerpts from the transcript of the February
16 26, 2013 deposition of Sheng-Jen Yang, a witness of Defendant Chungwha Picture Tubes, Ltd.

17 33. Exhibit 31 is a true and correct copy of the July 3, 2014 Errata to the Expert Report
18 of Janet S. Netz.

19 34. Exhibit 32 is a true and correct copy of excerpts from the transcript of the June 27,
20 2014 deposition of Janet S. Netz, an IPP expert witness.

21 35. Exhibit 33 is a true and correct copy of the September 25, 2014 Second
22 Supplemental Expert Report of Alan S. Frankel.

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27 I declare under penalty of perjury that the foregoing is true and correct.
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2 Executed on December 22, 2014 at San Francisco, CA.
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5 By: /s/ Lauren C. Capurro
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